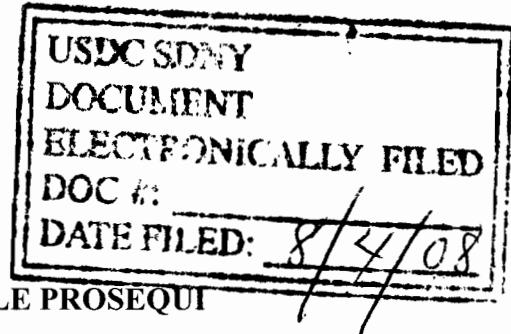


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
UNITED STATES OF AMERICA :
-v.- :
VINCENT SETTEDUCATE, :
a/k/a "Vincent Sette," :
Defendant. :
-----x



NOLLE PROSEQUI

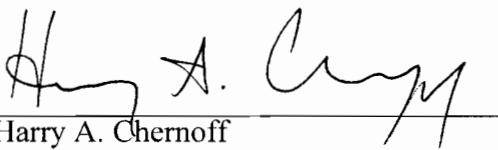
07 Cr. 1073 (SAS)

1. The filing of this *nolle prosequi* will dispose of this case with respect to the defendant Vincent Setteducate.

2. On November 29, 2007, Indictment 07 Cr. 1073 was filed, charging defendant Vincent Setteducate with one count of securities fraud in violation of Title 15, United States Code, Sections 78j(b) & 78ff; Title 17, Code of Federal Regulations, Section 240.10b-5, and Title 18, United States Code, Section 2; one count of mail fraud in violation of Title 18, United States Code, Sections 1341 and 2; and one count of criminal contempt, in violation of Title 18, United States Code, Section 401(3).

3. Based on a review of the evidence in the case and information pertaining to this defendant acquired subsequent to the filing of the Indictment, the Government has concluded that further prosecution of Vincent Setteducate would not be in the interests of justice.

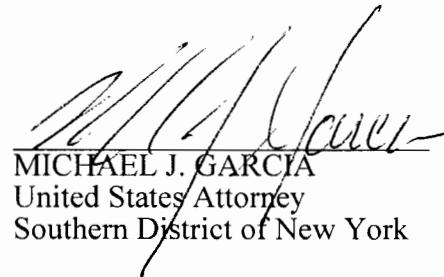
4. In light of the foregoing, I recommend that an order of *nolle prosequi* be filed as to defendant Vincent Setteducate with respect to Indictment 07 Cr. 1073 (SAS).



Harry A. Chernoff
Assistant United States Attorney
(212) 637-2481

Dated: New York, New York
August 4, 2008

Upon the foregoing recommendation, I hereby direct, with leave of the Court, that an order of *nolle prosequi* be filed as to defendant Vincent Setteducate with respect to Indictment 07 Cr. 1073 (SAS).



MICHAEL J. GARCIA
United States Attorney
Southern District of New York

Dated: New York, New York
August 4, 2008

SO ORDERED:



HON. SHIRA A. SCHEINDLIN
United States District Judge
Southern District of New York

Dated: New York, New York

August 4, 2008